

### **Remarks**

Claims 1, 7, 9, and 10 are pending in the present application. Claim 1 was amended. Reconsideration of the claims is respectfully requested.

#### **I. 35 U.S.C. §102(b), Anticipation**

The Examiner has rejected claims 1 and 9 under 35 U.S.C. §102(b) as being anticipated by Webb (U.S. Patent No. 5,924,685). This rejection is respectfully traversed.

In rejecting the claims, the Examiner states:

In figure 1 Prior Art of Webb 3 is a guide groove in the clamp arm, 17 is a clamp bolt, 10 are washers with rotation restriction ribs, and 13 and 15 are nuts.

Webb does not teach all of the limitations of claim 1. Specifically, neither the prior art depicted in Figure 1 nor the invention embodiments depicted in Figures 3-5 include a threaded cylinder into which the clamp bolt is screwed.

The prior art Figure 1 in Webb teaches a clamp device including a clamp arm with a guide groove 3, a clamp bolt 17 inserted into the guide groove, two washers 19 having a rotation restricting rib, and nuts 13, 15. Similarly, the invention embodiment depicted in Figure 3-5 includes a clamp bolt 27, an upper washer 35 and lower washer 29 (both with rotation restriction ribs 37, 31, respectively), an upper nut 39 and a lower hollow bore collar 21 that takes the place of the lower nut 15 in the prior art and is integral with the lower washer 29. However, neither of these embodiments includes a threaded cylinder through which the clamp bolt is screwed.

In both embodiments disclosed in Webb, adjustments to the height of the bolt 17/27 are made by screwing the bolt up or down within the internal threads of the upper nut 13/39 and lower nut/collar 15/21. In the Webb invention, the substitution of the integral hollow bore collar 21 for the lower nut 15 of the prior art is designed to make this adjustment process easier for the user.

In contrast, the structure of the invention recited in claim 1 allows the clamp bolt to be adjusted by moving the threaded cylinder containing the bolt using the upper and lower nuts around the cylinder's outside thread surface, as well as by screwing the clamp bolt itself up and down within the threaded cylinder. None of the embodiments described in Webb have this structure, nor is such a configuration even hinted at in Webb.

Because claim 9 depends from claim 1, it is distinguished for the reasons given above.

Therefore, it is respectfully asserted that the rejection of claims 1 and 9 under 35 USC §102 has been overcome and should be withdrawn.

## **II. 35 U.S.C. §103, Obviousness**

The Examiner has rejected claims 7 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Webb in view of Shivers et al. (US Patent No. 4,335,493). The rejection is also respectfully traversed.

In rejecting the claims, the Examiner states:

Shivers et al teaches that a clamp pad may be swivel mounted to the clamp bolt. Shiver et al further teaches that the clamping bolt may have a tool engaging socket. To provide in the Webb clamp bolt a swivel mounted pad and a tool engaging the socket would have been obvious for one skilled in the art at the time the invention was made in view of the disclosure of Shivers et al. One of ordinary skill in the art would have been motivated to do this in order to clamp an irregular workpiece and to provide a convenient [sic] means to rotate the clamp bolt with an existing external tool such as an allen wrench.

Shivers discloses a screw 40 having a swiveling pad, but does not disclose and teach the limitations of the claimed invention. Because claims 7 and 10 depend from claim, they are distinguished for the reasons given above. Therefore, even if the teachings of Shivers were to be combined with Webb as proposed by the Examiner, the resulting combination would still not produce all of the limitations of the claimed invention.

Therefore, it is respectfully asserted that the rejection of claims 7 and 10 under 35 USC §103 has been overcome and should be withdrawn.

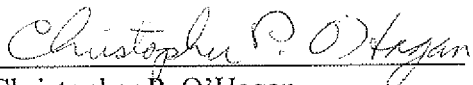
**Conclusion**

If there are any outstanding issues that the Examiner feels may be resolved by way of telephone conference, the Examiner is invited to call Colin Cahoon or Chris O'Hagan at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

The Commissioner is hereby authorized to charge any payments that may be due or credit any overpayments to CARSTENS & CAHOON, L.L.P. Deposit Account 50-0392.

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Respectfully submitted,

  
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